REMARKS

Applicant would like to thank the Examiner for the detailed remarks. Claims 1, 15, and 19 have been amended. Accordingly, claims 1, 4-13, and 15-19 are pending.

The Examiner rejected claims 1, 4-13, and 15-19 under 35 U.S.C. 101 for being directed to non-statutory subject matter. The Examiner rejected claim 1 for being directed to two statutory classes (i.e., a "hybrid" claim). Claims 1 has been amended to recite "interfacing a processor with a user interface, the user interface and the processor communicating with a computer having a computer readable storage medium including instructions for executing an algorithm to determine an optimized inventory level, the algorithm comprising the steps of:" Claim 1 now recites a method and not a structure.

Additionally, the Examiner argues that the term "computer readable medium" could be interpreted broadly to be a signal or a wave. The term "computer readable medium" has been amended to recite "a computer readable storage medium" to exclude a transmission medium.

Furthermore, the Examiner argues that the specification does not reference "a computer readable medium." One of ordinary skill in the art would recognize that software executed by a processor would be stored on a computer readable storage medium. For these reasons, the Applicant respectfully requests that the rejection of claims 1 and 4-13 be withdrawn.

Regarding claim 15, the Examiner argues that the Applicant has failed to positively recite the steps set forth in the instructions on the medium. Claim 15 has been amended to recite "determining an optimized inventory level, the determining step occurring on a computer having a computer readable storage medium storing instructions for:" Claim 15 positively recites the steps being performed on a computer readable storage medium. Therefore, Applicant respectfully requests that the rejection of claims 15-18 be withdrawn.

Regarding claim 19, the Applicant has followed the Examiner's suggestion and amended the preamble to recite "A computer readable storage medium including a set of instructions that causes a computer to perform the following steps:" Therefore, Applicant respectfully requests that the rejection of claim 19 be withdrawn.

The Examiner rejected claims 1, 4-13, and 15-19 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner rejected claim 1 for being a "hybrid" claim. As discussed above, claim 1 has been amended to be directed to a single statutory class.

Therefore, the Applicant respectfully requests that the rejection of claims 1 and 4-13 be withdrawn.

Regarding claim 15, the Examiner argues that the Applicant has failed to positively recite the steps set forth in the instructions on the medium. As discussed above, claim 15 has been amended to positively recite the steps being performed on the computer readable storage medium. Therefore, Applicant respectfully requests that the rejection of claims 15-18 be withdrawn.

Regarding claim 19, the Examiner argues that the Applicant has failed to positively recite the steps. As discussed above, claim 19 has been amended as suggested by the Examiner. Therefore, Applicant respectfully requests that the rejection be withdrawn.

No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 21-0279, in the name of United Technologies Corporation, for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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